

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

HAYWARD INDUSTRIES, INC.,

Plaintiff,

v.

BLUEWORKS CORPORATION,
BLUE WORKS INNOVATION
CORPORATION, NINGBO C.F.
ELECTRONIC TECH CO., LTD.;
NINGBO YISHANG IMPORT AND
EXPORT CO., LTD.,

Defendants.

Civil Action No. 3:20-cv-00710-MOC-DSC

JURY TRIAL DEMAND

BLUEWORKS CORPORATION;
NINGBO C.F. ELECTRONIC TECH
CO., LTD.; NINGBO YISHANG
IMPORT AND EXPORT CO., LTD.,

Counterclaim-Plaintiffs,

v.

HAYWARD INDUSTRIES, INC.,

Counterclaim-Defendant.

**UNOPPOSED MOTION TO EXTEND DEADLINES IN THE PRETRIAL ORDER
AND CASE MANAGEMENT PLAN**

Pursuant to Federal Rule of Civil Procedure 7 and Local Rule 7.1, Defendants Blueworks Corporation (“Blueworks”), Blueworks Innovation Corporation (“Blueworks Innovation”), Ningbo C.F. Electronic Tech Co., Ltd. (“Ningbo C.F.”), Ningbo Yishang

Import and Export Co., Ltd. (“Ningbo Yishang”) (collectively, “Defendants”), through undersigned counsel, move this Court to extend the deadlines in the Pretrial Order and Case Management Plan (Dkt. 90) as set forth below.

Event	Current Deadline	Proposed Deadline
Close of Fact Discovery	November 30, 2022	(a) deadline to serve all discovery is November 30, 2022; (b) deadline to produce all documents and supplement all written discovery is December 14, 2022; and (c) deadline to complete all depositions and any other third-party discovery is January 17, 2023
Opening Expert Report (s)	December 3, 2022	January 20, 2023
Rebuttal Expert Report (s)	January 13, 2023	February 17, 2023
Close of Expert Discovery	February 3, 2023	March 3, 2023
Dispositive Motions	February 20, 2023	March 10, 2023
Ready Date for Trial	June 20, 2023	June 20, 2023

The parties have made substantial progress scheduling fact and 30(b)(6) depositions of third party witnesses and Plaintiff’s witnesses, including the following depositions. The parties will continue to work in good faith to finalize the scheduling (*i.e.*, remote or in-person and any date adjustments based on unavoidable employee conflicts) of all party and third party depositions.

- November 29: Saltech (remote)
- December 14: Matt Kimball (Charlotte, NC)
- December 15: Troy Renken (Charlotte, NC)
- December 16: Billy Emory (Charlotte, NC)
- January 6-13: Richard Chen (exact date(s) and location to be determined)
- January 10: Ray Denkewicz (North Kingstown, RI)
- January 11: Jason Davila (North Kingstown, RI)
- January 17: Mike Glibowski (East Brunswick or Newark, New Jersey)

Defendants believe that good cause exists to extend these deadlines as the parties are actively engaged in the production of documents, scheduling depositions, and other

discovery and would benefit from the additional time to develop the factual record before serving expert disclosures. In particular, Defendants wish to extend the deadlines due to Defendants' lead counsel, Shaobin Zhu, was hospitalized with viral meningitis, which is an infection of the membrane that covers the brain and spinal cord. His condition was very serious and Mr. Zhu was hospitalized after suffering multiple episodes of acute symptoms. This disease impaired Mr. Zhu's ability to perform any type of work for a period of time, including to prepare and defend Defendants' 30(b)(6) witness, Mr. Chen, for deposition. In addition, Defendants' principal and designated 30(b)(6) witness, Mr. Chen, is located in China and must travel to the United States, Macau, or Hong Kong to give testimony given China's current restrictions and COVID-19 protocols, including, but not limited to, obtaining permission to travel in and out of China and extended quarantine periods. Mr. Chen is now permitted to travel for his deposition, likely to Macau, between January 6 and 13, 2023, with an exact date to be set based on further agreements between counsel and logistics of all parties. Moreover, the proposed extension will not affect the June 2023 ready date for trial.

For the foregoing reasons, Defendants respectfully request that their motion to extend the deadlines in the Pretrial Order and Case Management Plan be granted.

BLUEWORKS CORPORATION,
BLUEWORKS INNOVATION
CORPORATION, NINGBO C.F.
ELECTRONIC TECH CO., LTD, and
NINGBO YISHANG IMPORT AND
EXPORT CO., LTD.

By their attorneys,

s/ Scott D. Sherwin

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***Attorneys for Defendant Blueworks
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Co., Ltd., and Ningbo Yishang Import and
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CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2023, the foregoing document was served via email with consent upon all counsel of record.

Respectfully submitted,

s/ Scott D. Sherwin

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